

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
June 15, 2009**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, June 15, 2009, at 10:00 a.m. **COMMISSIONERS RON AVERILL, P.W. SCHULTE, and F. LEE GROSE** were in attendance. **Chairman Grose** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, June 8, 2009. **Chairman Averill** seconded.

Motion carried 3-0

Public Comment

Lori Gartland, Chehalis, WA, was speaking on behalf of the Patterson Family who lost everything in the 2007 flood. She is asking for an exemption so that a donated mobile home can be located on property of some friends. She has been working with the Health Department on the process for temporary housing for the Patterson's'. She has run into a roadblock: the house is secured but it is too large and the property is not owned by a blood relative. Under County Code, citizens are allowed to place a living structure on blood relatives' property for medical purposes. In addition, the structure can only be approximately 1248 square feet. They have put a lot of time and money into securing this site and now they are told they cannot do it.

A meeting will be set up with the BOCC, Community Development, and Health to discuss this issue.

Notice

Commissioner Averill moved to add an additional Resolution 09-183 to the agenda. **Commissioner Schulte** seconded the motion.

Commissioner Averill noted that this resolution has been on the agenda before, but needed authorization from WSDOT and FEMA before we could proceed.

Motion carried 3-0

Commissioner Averill moved to approve Notice Items one through three.

Commissioner Schulte seconded the motion. Karri Muir Clerk of the Board read the items into the record.

- 1. Notice of Hearing: Regarding final action on condemnation of property described as two parcels of land near Chehalis/Centralia Airport. Hearing will be held on Monday, July 6, 2009, on or after 10:00 a.m. (Item tabled on 6-8-09 and a new hearing date has been set)**

2. **Notice of Hearing: Regarding a proposed vacation of a portion of Bishop Road. Hearing will be held on July 20, 2009 on or after 10:00 am. Resolution No. 09-173**
3. **Call for Bids: For the Winlock Vader Road Slide Repair Project. Bids will be opened on or after 10:00 am on July 6, 2009. Resolution No. 09-183**

Item No. 1: Allyn Roe, Chehalis/Centralia Airport Manager stated he did not have any other information for the Board.

Commissioner Averill stated this Notice of Hearing is to consider condemnation of property described as two parcels of land for an avigation easement near the Centralia/Chehalis Airport. Hearing will be held on Monday, July 6, on or after 10:00 am. A hearing by the City of Chehalis Council will be held on July 13.

Item No. 2: Larry Unzleman, Public Works stated this resolution would set a hearing for the requested Vacation of a portion of Bishop Road. Hearing will be held on July 20, 2009.

Item No. 3: Rod Lakey, Public Works, stated this call for bids is for the Winlock Vader Road Slide Repair Project, No. 13 on the STIP. It will provide for road improvements. This is a project from the December 2007 flood event.

Commissioner Averill asked if this was the road that is now one lane and that, we have signals and lighting up for safety.

Mr. Lakey stated it was. He also noted that the road would be closed during construction.

Motion carried 3-0

Consent

Commissioner Schulte made a motion to approve Consent Items four through twelve **Commissioner Averill** seconded the motion. Karri Muir, Clerk of the Board, read the items into the record.

4. **Resolution No. 09-167 Bid award for the Southwest Washington Fair paving project. (Item tabled on June 8, 2009)**
5. **Resolution No. 09-174 Bid award for the Countywide Pre-levels and Overlay Project.**
6. **Resolution No. 09-175 Approving a temporary signer on contracts and other legal documents until a Director of Public Health and Social Services is hired.**
7. **Resolution No. 09-176 Appointments to the Lewis County Veteran's Advisory Board.**
8. **Resolution No. 09-177 Approving an agreement with Timothy and Lisa Potter.**
9. **Resolution No. 09-178 Approving John Huestis as Applicant Agent and Merrilee Kenyon as Alternate Applicant Agent/contact for declared natural disasters of 2006-2009.**
10. **Resolution No. 09-179 Acceptance of Washington State Patrol Statewide Marijuana Eradication Program Agreement.**

- 11. Resolution No. 09-180 Approving inter-agency grant agreement with the Department of Ecology for management of invasive weed species.**
- 12. Resolution No. 09-181 Granting Central Services Director the authority to execute a contract for financial system purchase.**

Item No. 4: Doug Carey, Central Services, stated this resolution is a bid award for the Paving Project at the SWW Fairgrounds. The bids were from the Small Works Roster and there were three bids submitted. The award is going to MDK Construction in the amount of \$124,365.95.

Item No. 5: Rod Lakey, Public Works, stated this resolution is a bid award for the Countywide Pre-level and Overlay Project. The award will go to Lakeside Industries in the amount of \$443,524.17.

Item No. 6: Kathleen Eussen, Health, stated this resolution would appoint Doug Wangen to sign documents for the Health Department after she retires until a new director is hired.

Item No. 7: Kathleen Eussen, stated this resolution will re-appoint Steve Buzzard and Stephen Amoroso and appoints Ernie Graichen and William Evans to a two-year term on the Veteran's Advisory Board.

Commissioner Averill stated we currently have four other members. He noted this is an important board that advises the Commissioners on Veteran's issues. The County has a fund that assists indigent veterans and the Veteran's Advisory Board assists the BOCC with this.

Item No. 8: Larry Unzleman, Public Works, stated an offer to purchase an easement for the Newaukum Bridge Replacement Project. An original offer was not accepted by the property owners and negotiations were stalled. The issue went to the Prosecutor's Office to acquire property rights. The property owners, Mr. and Mrs. Timothy Potts, came to the BOCC stating they would now negotiate the agreement. A meeting was set up and a new agreement was reached. This resolution will approve the agreement with the Potter's.

Item No. 9: Rod Lakey, Public Works, stated Emergency Management requires counties to establish an Applicant Agent. This resolution will change the Alternate Applicant Agent to Merrilee Kenyon. The reason for the change is because administrative project tracking is handled by the Office Manager and this is Merrilee's position.

Item No. 10: Steve Walton, Sheriff's Office stated this resolution will approve a grant that will provide a local law enforcement officer that will locate marijuana plants. The grant is for \$13,000 and ends on December 31, 2009. He also noted that this is the season when this type of work is completed.

Item No. 11: Bill Wamsley, Weed Extension, stated this resolution would approve an agreement with Department of Ecology for invasive plant removal at Plummer Lake. There is a plant in the lake named Brazilian Elodea and the treatment for this plant has

been challenging. The funds received will be for work done over a three-year period. This is in cooperation with some of the other work going on with Thurston County on the river and the Chehalis Tribe.

Commissioners Averill asked if we have been doing any eradication prior to this agreement.

Mr. Wamsley stated we have been. He noted we have received grant funding from DOE previously doing similar kinds of treatment. We are working with a contractor that does the application via boat.

Commissioner Averill asked if the \$40,000 was over the three-year period.

Mr. Wamsley stated it was over the three-years.

Chairman Grose questioned the use of grass carp.

Mr. Wamsley stated that part of the grant agreement does consider or look at maybe the introduction of grass carp toward the end of the project. This would require approval by the Department of Fish and Wildlife. We have had a successful treatment working with grass carp at South County Park, in Toledo. These are sterile fish and have to be approved because they are not native.

Item No. 12: Dawna Truman, Fiscal, stated she is speaking on behalf of Mike Strozyk. She noted the BOCC was notified last month at the Auditor/Treasurer's Update about the purchase of the Microsoft Financial System. In order to get certain discounts we are asking that this resolution allow Mike Strozyk, Central Services Director, to sign the agreement. This agreement needs to be signed asap to get discounts to purchase this program.

Commissioner Averill noted that the County has been working on this project for several years. Unfortunately, it was not compatible with the operating system the County was using. We have moved the County to Microsoft, with which this program is compatible. We are at a point that we can move forward. The initial coordination has been done with all of the offices. This program will serve the entire County, not only the BOCC and the departments under them but all of the other offices as well. When it is in and working it should provide both improved services and more efficient use of personnel time.

Chairman Grose asked Ms. Truman to explain how we were able to avoid the RFP/RFQ process on this.

Ms. Truman stated that we were allowed to tag onto the WA. State contract in order to purchase this through their process.

Motion carried 3-0

Hearing**Open Space Land Reclassifications**

Chairman Grose announced the hearing and asked for a staff report.

Dianne Dorey and Susan Johnson, Assessor's Office were in attendance. Ms. Dorey stated the purpose of the hearing is to have new applications in Open Space Timber approved for classification. The qualifications for Open Space Timber are that you must have between five and twenty acres. Otherwise, you would go into Designated Forest Land if you had more than twenty acres. Some of the applicants do have less than five acres because they are adding to their existing property.

Commissioner Averill asked if they made sure properties that are less than five acres are contiguous.

Ms. Dorey stated they were adjacent to the existing properties.

Commissioner Averill asked when they go into this program if there are any requirements like the agricultural programs, were they have to meet certain verifications.

Ms. Dorey stated they have to submit a timber management plan to the Assessor's Office, which they review. Periodically when the appraisers go out to inspect the property we have them look to make sure that there are trees growing on the property. We look at them about every four years.

Commissioner Averill stated he is concerned that the smaller parcels get lost in this process.

Ms. Dorey stated they would be inspected along with the property beside them, which is the owners' property. If for some reason, the owner was to sell one of those pieces of property they would no longer be eligible and would have to have it removed.

Commissioner Schulte asked how is that triggered if they sell five acres.

Ms. Dorey stated they review all the property that is left for that property owner at the same time that the property is being sold to make sure the remaining land is in compliance.

Commissioner Averill asked if these were reviewed by the Planning Department.

Bob Johnson, Community Development, stated that his understanding is that they all go to the Planning Department for review for consistency with zoning.

Commissioner Averill stated since one of these is zoned FRL, he asked why are we going from FRL to timber.

Ms. Dorey stated because they do not have apparently twenty acres that would make them qualify for Designated Forest Land. Zoning may have different requirements than the tax classification programs.

Commissioner Averill asked if it was in FRL or out of FRL.

Mr. Johnson stated there are two classifications: FRL for tax assessment purposes, which is separate from the long-term commercially significant forest resource lands under zoning. These two separate programs have the same name. One is for tax

purposes and one is for zoning. You could be in any zone and apply for tax exemption under the Open Space Classification.

Commissioner Averill asked if this is why the 6.92 acres is in FRL. He stated this is something we need to correct. The record shows it is in FRL for zoning not program.

Mr. Johnson stated some of our zoning is done with broad-brush approach. In some areas where you have small parcels included in the larger, if in fact they are managed for timber, they are still in that zoning classification. We do not have those little spot zones throughout the county.

Ms. Dorey stated this could be a larger parcel and they may only have 6.49 acres that they are applying for. It could be a much larger parcel and at this point maybe they have had some classified. This occasionally happens where they are only applying for a portion of a parcel.

Chairman Grose stated that these are Open Space Timber and makes these individuals eligible for tax relief on that property. He asked what that value was.

Ms. Dorey stated that is correct and the value is roughly 90% reduction of the current market land value. Those rates are established by the State. This shifts on to the other taxpayers to pay, like any other exemption.

Chairman Grose asked if there were any other questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

Ms. Dorey asked that her previous comments be adopted into the record.

Chairman Grose asked if anyone wanted to speak for or against the hearing.

Bob Johnson stated in response to comment concerning the taxation, if those people convert to another use that is not consistent with Open Space Program, they have to pay the back taxes.

Chairman Grose asked how far back do they have to pay the taxes back.

Ms. Dorey stated it is seven years.

Chairman Grose stated they would pay the back taxes in the amount that would have been due under the other classifications.

Ms. Dorey stated whatever we historically had them assessed at based on their zoning classification.

Mr. Johnson stated it is actually the use of the land. If they were to convert from Open Space Forest use to single-family residential use, then they would pay the back taxes. If they were to go to another commercial use or something else, they would pay the back taxes.

Chairman Grose closed the hearing and asked for a motion to approve Resolution No. 09-182.

Commissioner Averill moved to approve Resolution No. 09-182. **Commissioner Schulte** seconded the motion.

Commissioner Averill noted that we go through a rigorous process on these classifications. Susan does a terrific job on this. This process has gotten much better working between the Assessor and the Community Development Department.

Chairman Grose stated he appreciates this also. It has been hard to get this through. He also noted that we did find some properties that we did not know we had or that we thought we had and did not have as this process was being done. It has been a worthwhile process.

Motion carried 3-0


There being no further business, the Commissioners' public meeting adjourned at 10:54 am on June 15, 2009. The next public meeting will be held Monday, June 22, 2009, at 10:00 a.m.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

BOARD OF COUNTY COMMISSIONERS
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ATTEST:




Karri Muir, Clerk of the Board
Lewis County Commissioners


F. Lee Grose, Chairman


Ron Averill, Commissioner


P.W. Schulte, Commissioner